

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

DANA SPIRES, GLENN GRANT, SUSAN
MOHLE, and TOM MIRANDA on Behalf of
Themselves and All Others Similarly Situated,

Plaintiffs,

vs.

CASE NO: 2:16-cv-00616-RMG

DAVID R. SCHOOLS, WILLIAM A.
EDENFIELD, JR., ROBERT G. MASCHE,
JOSEPH T. NEWTON III, BURTON R.
SCHOOLS, PIGGLY WIGGLY CAROLINA
COMPANY, INC. & GREENBAX
ENTERPRISES, INC. EMPLOYEE STOCK
OWNERSHIP PLAN AND TRUST PLAN
COMMITTEE, JOANNE NEWTON AYERS,
MARION NEWTON SCHOOLS, and JOHN
DOES 1-10,

Defendants.

**PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES AND
REIMBURSEMENT OF EXPENSES**

Named Plaintiffs Dana Spires, Glenn Grant, Susan Mohle and Tom Miranda (“Plaintiffs”) respectfully submit this Motion for an Award of Attorneys’ Fees and Reimbursement of Expenses pursuant to FRCP 54(d) and Local Rule 54.02. The purpose of this request is to reasonably compensate Plaintiffs’ counsel for their services to the Class and to reimburse Plaintiffs’ counsel for the expenses incurred in the litigation.

As documented in more detail in the memorandum supporting this motion and the Joint Declaration of Class Counsel (the “Joint Declaration”) filed contemporaneously with this motion, Plaintiffs’ Counsel are applying for a fee of one-third of the Original Cash Amount and Additional Cash Amounts deposited in the Settlement Fund, plus reimbursement of their out-of-pocket

litigation expenses totaling \$302,583.74. If the aggregate amount deposited in the Settlement Fund is \$7.675 million (\$5.2 million Original Cash Amount, plus Defendants' low-end estimate of \$2.475 million Additional Cash Amounts) the requested fee would be \$2,558,000. If the aggregate amount deposited in the Settlement Fund is \$8.65 million (\$5.2 million Original Cash Amount, plus Defendants' high-end estimate of \$3.45 million Additional Cash Amounts) the requested fee would be \$2,883,000.

This motion is made unopposed and further support for this motion is found in the pleadings on file in this case and in the memorandum Joint Declaration filed in support of this motion. As discussed in detail in the memorandum and Joint Declaration, the amount requested is proper, reasonable, and well-substantiated and documented.

Plaintiffs respectfully request that the Court award the requested amounts in full and allow Plaintiffs to supplement this petition for additional costs incurred relating to this fee petition and any supplemental motions that may be filed by Defendants. Plaintiffs reserve the right to submit supplemental declarations and memoranda in support of this motion, and in support of the reasonableness of the fees and costs requested in this motion, within the time allowed by Local Rule 54.02.

Dated: July 31st, 2018

Respectfully submitted,

WYCHE, P.A.

s/John C. Moylan, III

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